

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRIAN GLAUSER, individually and on
behalf of all other similarly situated,

Plaintiff,

No. C 11-2584 PJH

v.

**ORDER GRANTING IN PART, DENYING
IN PART PLAINTIFF'S RULE 56(D)
MOTION**

TWILIO, INC., et al.,

Defendants.

Plaintiff's Rule 56(d) motion came on for hearing before this court on September 2, 2014. Plaintiff Brian Glauser ("plaintiff") appeared through his counsel, Benjamin Richman. Defendant GroupMe, Inc. ("defendant") appeared through its counsel, Bryan Merryman. Having read the parties' papers and carefully considered their arguments and the relevant legal authority, and good cause appearing, the court hereby GRANTS in part and DENIES in part plaintiff's motion, for the reasons stated at the hearing.

Plaintiff shall have one week to meet and confer with Twilio regarding the ten discovery items that were mentioned in the April 2014 communications between plaintiff and Twilio. If plaintiff and Twilio cannot come to a resolution regarding the production of discovery relevant to the autodialer issue, plaintiff shall file a motion to compel, of no more than ten pages, by **September 10, 2014**. Defendant's response to any motion to compel must also be limited to ten pages, and must be filed by **September 17, 2014**.


If plaintiff and Twilio are able to reach an agreement regarding discovery, then plaintiff and defendant shall submit a stipulation regarding the deadlines for filing an opposition and reply to defendant's motion for summary judgment. If plaintiff and Twilio are

1 not able to reach an agreement, the court will set the opposition and reply deadlines when
2 it rules on plaintiff's motion to compel.

3 Finally, as stated at the hearing, the parties need not proceed with briefing on
4 plaintiff's motion for class certification until after the autodialer motion is fully briefed. Thus,
5 after resolution of the discovery issue between plaintiff and Twilio, the parties are directed
6 to file a stipulation regarding a modified briefing schedule for the class certification motion.

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8 **IT IS SO ORDERED.**

9 Dated: September 2, 2014

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12 PHYLLIS J. HAMILTON
13 United States District Judge
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